

### **Remarks**

Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and the reasons that follow.

### **Office Action**

In the Office Action mailed, the following actions were made:

Claims 1-5, 7-11, 13-23, 26-27, 30-41, and 44-47 were rejected under 35 U.S.C. § 102 (b) as purportedly being anticipated by Lowry et al. (U.S. 5,318,119).

Claims 12, 28, and 42 were rejected under 35 U.S.C. § 103 as purportedly being unpatentable over Lowry et al in view of Meldau (U.S. 3,556,219).

Claims 24, 25, and 29 were rejected under 35 U.S.C. § 103 as purportedly being unpatentable over Lowry et al in view of Fast (U.S. 4,064,938).

Claims 6 and 43 were objected to as being dependent on rejected base claims.

### **Amendments**

#### **Specification Amendment**

The present Application was filed under 35 U.S.C. 371 as a national stage filing of International Application No. PCT/US04/01599, filed 20 January 2004, which claims the benefit of U. S. Provisional Application No. 60/459,151 filed March 31, 2003. To clarify this relationship, Applicants amend the specification.

#### **Claims**

At the PCT stage, Applicants submitted an amendment in response to a Written Opinion mailed 9 February 2005. A copy of the response is attached for reference. The amendment added claims, increasing the total number of claims from 47 to 81. In this document, Applicants are amending the claims to correspond to the 81 submitted in the amended PCT application. The claims are identical to those submitted at the PCT stage except that new claim 66 has been changed for the sake of clarity. After reviewing the amended claims and the accompanying written comments, the PCT Examiner found all 81 claims had novelty and an inventive step. See attached corrected International Preliminary Report having a completion date of 07 September 2005.

Independent claims 1, 20, 36 and 44 have been amended to further clarify the teachings of the present application. In particular, claim 1 has been amended to recite "at least one wall inside the first flow joint or the second flow joint to form at least a third fluid flow path," while claim 20 has been amended to include the recitation "at least one wall disposed inside and coupled to the first selectively perforated basepipe or the second selectively perforated basepipe to provide at least one additional fluid flow path" along with some amendments to clarify antecedent basis within the claim. Similarly, claim 36 has been amended to recite "at least one wall disposed in the first flow joint or the second flow joint to form at least a third fluid flow path," while claim 44 has been amended to recite "at least one wall inside the first flow joint or the second flow joint to provide at least a third fluid flow path." Each of these amendments further clarifies the claimed subject matter and is clearly supported in the specification (*See e.g.*, Application, Figs. 3A-6B; p. 12, line 8 to p. 18, line 23).

Further, Applicants have amended claims 11, 15-17, 24-26, 28, 30-35, 37-39, 41-43, 45 and 46 to clarify the claimed subject matter. These amendments are not believed to limit the claims, but merely clarify the claimed subject matter.

Finally, Applicants have added new claims 48-81, which do not add new matter and are again clearly supported in the present application (*See e.g.*, Application, Figs. 3A-6B; p. 12, line 8 to p. 18, line 23). In particular, independent claim 68 includes the recitations of claims 1 and 6 in independent form.

#### **Applicant's Claimed Subject Matter**

Applicants' claims, as exemplified by claim 1, allows the isolation of flow impairing materials while still permitting the movement of fluids through other available pathways in the wellbore. The second flow joint surface provides flow paths which ensure the continuous production of fluids in the event at least one fluid flow path between a first flow joint and a second flow joint becomes impaired. In this way, the apparatus provides flow path redundancies in the event mechanical flow impairment problems arise in the wellbore.

#### **Cited Art: Lowry-Meldau-Fast**

In contrast to the claimed subject matter, Lowry teaches a method of attaching a sintered metal screen to a base pipe to resist rough handling of the screen. *See* Lowry, col. 3, lines 15-20.

In Lowry, sand screens S1, S2, S3, S4 are connected to tubular mandrels 44 that each include radial bore passages 56. *See id.* at Figs. 2-4, col. 6, lines 24-59. Each of the tubular mandrels 44 are coupled together in series by spacer ring 58 and seal rings 60 and 62. *See id.* at Figs. 2-3, col. 7, lines 29-43. In this configuration, a flow path for formation fluid into the inner portion of the tubular mandrels 44 is the only flow path provided by each tubular mandrel 44. *See id.* As such, Lowry simply teaches that a single flow path from the formation into the tubular mandrel through the respective sand screens S1, S2, S3, S4 and radial bore passages 56. Accordingly, Lowry does not provide or suggest first and second flow joints, much less, a wall inside the first flow joint or the second flow joint to create an additional fluid flow path through the wellbore.

Similar to Lowry, Fast teaches a sand screen assembly with two walled deflectors around a sand screen to protect the sand screen. *See Fast*, col. 2, lines 24-34. In particular, an inner sleeve 14 and an outer sleeve 16 having openings 17 and are positioned around a wire screen 12 by spacers 18. *See id.* at Figs. 2-3, col. 2, line 67 to col. 3, line 14. In all of the Fast configurations, openings 17 in the sleeves 14 and 16 are large enough to allow sand particles to pass through the openings and contact the wire screen 12. *See id.* at col. 4, lines 14-20. That is, the sleeves 14 and 16 are used to deflect sand particles to reduce potential damage to the wire screen 12, not to provide first and second fluid flow paths. Further, the spacers 18 are merely utilized to fix the position of the sleeves 14 and 16 to provide a single indirect flow path from the formation to the wire screen 12. As such, Fast does not provide or suggest first and second flow joints, much less, a wall inside the first flow joint or the second flow joint to create an additional fluid flow path through the wellbore.

Finally, Meldau teaches a gravel packed liner that is utilized to produce oil from a well. *See Meldau*, col. 1, lines 4-16. In Meldau, a liner 6 is held against an interior wall of a perforated casing 2 by positioners 7 and surrounded by gravel packing 8 within the perforated casing 2. *See id.* at Fig. 2, col. 2, lines 47-70. The positioners 7 are simply utilized to locate the liner to a specific location to allow sand or clay to impact the gravel packing 8, not the liner 6. In an alternative configuration, a liner 10 is held against an interior wall of the casing 2 by a tailpipe 11 and the tailpipe 11 and liner 10 are surrounded by gravel packing 8 within the perforated casing 2. *See id.* at Figs. 4 and 5, col. 3, lines 25-46. In this configuration, the tailpipe 11 does not have any slots or perforations because the liner 10 and tailpipe 11 are utilized to separate the oil and gas within the liner 10. *See id.* As such, regardless of the

configuration, Meldau does not provide or suggest first and second flow joints, much less, a wall inside the first flow joint or the second flow joint to create an additional fluid flow path through the wellbore.

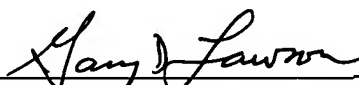
Because the cited references, alone or in combination, fail to teach or suggest the claimed subject matter, claims 1-81 are believed to be patentable.

**Conclusion**

In view of the remarks and amendments set forth above, Applicant respectfully requests allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this Application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: November 5, 2007

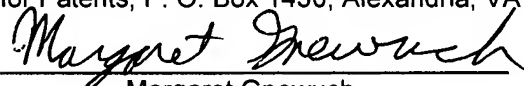
  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 5, 2007.

  
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